IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

SAMANTHA PETTINGILL, JULIE PETTINGILL, GENE PETTINGILL, JULIE PETTINGILL, as guardian *ad litem* for C. P. and T. P., minors, and SOCIETY FOR PET ADOPTION, RESCUE, AND EDUCATION, INC., a Delaware nonprofit corporation,

C.A. No. 05-224-SLR

Plaintiffs,

v.

JURY TRIAL DEMANDED

JOHN CALDWELL, in his official and individual capacities, JOHN SAVILLE, in his official and individual capacities, DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, a Delaware corporation

Defendants.

NOTICE OF DEPOSITION OF VONDA KAY

TO: Daniel P. Bennett, Esquire Heckler & Frabizzio, P.A. 800 Delaware Avenue, Suite 200 Wilmington, DE 19801

PLEASE TAKE NOTICE that undersigned counsel will take the oral deposition of Vonda Kay on January 13, 2006 at 11:00 a.m. at the offices of Oberly, Jennings, & Rhodunda, P.A., 800 Delaware Avenue, Suite 901, Wilmington, DE 19801. The deposition shall be recorded by stenographic means.

OBERLY, JENNINGS & RHODUNDA, P.A.

/s/ Karen V. Sullivan

Charles M. Oberly, III (No.743) Karen V. Sullivan (No. 3872) 800 Delaware Avenue, Suite 901 P.O. Box 2054 (302) 576-2000 – Telephone Wilmington, DE 19899

Dated: December 30, 2005

cc: Corbett & Associates